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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA)	Case No.: 2:22-CR-00016-DC
)	
Plaintiff,)	
)	
vs.)	STIPULATION REGARDING
)	EXCLUDABLE TIME PERIODS
BENJAMIN JOHN SARGISSON)	UNDER SPEEDY TRIAL ACT;
)	PROPOSED ORDER
)	
Defendant.)	DATE: December 5, 2025
)	TIME: 9:30 a.m.
)	COURT: Hon. Dean M. Coggins
)	
)	
)	

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on November 7, 2025.
2. By this stipulation, defendant moves to continue the status conference until December 5, 2025, at 9:30 a.m., and to exclude time between November 7, 2025, and December 5, 2025, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. The parties agree and stipulate, and request that the Court find the following:
 - a. The government has managed to access the data from a DVR of security camera

1 footage that the defense has requested, with the access PIN that defense counsel
2 provided. The DVR contains approximately five months' worth of video recording. The
3 government is in the process of exporting the data, which is a time-consuming process,
4 given the volume of data on the DVR. The government and defense counsel are
5 discussing the most efficient and useful way of providing the exported data to the
6 defense.

7 b. The government has represented that the discovery associated with this case
8 includes investigative reports and photographs, which the government has produced
9 directly to counsel. There is also physical evidence in the form of the firearms in
10 question, which the government has available for inspection, and will likewise make any
11 other physical evidence available for inspection.

12 c. Defense counsel desires additional time to review the discovery produced, as well
13 as the anticipated discovery mentioned above, to consult with his client, to conduct
14 investigation and research related to the current charges, to discuss potential resolutions
15 to this matter, and to otherwise prepare for trial.

16 d. Counsel for defendant believes that failure to grant the above-requested continuance
17 would deny him/her the reasonable time necessary for effective preparation, taking into
18 account the exercise of due diligence.

19 e. The government does not object to the continuance.

20 f. Based on the above-stated findings, the ends of justice served by continuing the case
21 as requested, outweigh the interest of the public and the defendant in a trial within the
22 original date prescribed by the Speedy Trial Act.

23 g. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et
24 seq., within which trial must commence, the time period of November 7, 2025 to
25 December 5, 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. §
26 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by
27 the Court at defendant's request on the basis of the Court's finding that the ends of
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1 justice served by taking such action outweigh the best interest of the public and the
2 defendant in a speedy trial.

3 h. Nothing in this stipulation and order shall preclude a finding that other provisions of
4 the Speedy Trial Act dictate that additional time periods are excludable from the period
5 within which a trial must commence.

6 IT IS SO STIPULATED.

7
8 DATED: October 27, 2025

9 /s/ Mario Tafur
10 Mario Tafur, Esq.
Attorney for Defendant

11 DATED: October 22, 2025


12
13 /s/ James R. Conolly
14 James R. Conolly
Assistant United States Attorney

ORDER

The court, having received, read and considered the parties' stipulation filed on October 24, 2025, and good cause appearing therefrom, APPROVES the parties' stipulation. Accordingly, the Status Conference scheduled for November 7, 2025, is VACATED and RESET for December 5, 2025 at 9:30 a.m. in Courtroom 10 before the Honorable Dena M. Coggins. The time period between November 7, 2025, and December 5, 2025, inclusive, is excluded under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A), and B(iv) [Local Code T4], as the ends of justice served by granting the continuance outweigh the best interest of the public and the defendants in a speedy trial.

IT IS SO ORDERED.

Dated: October 27, 2025


Dena Coggins
United States District Judge

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